

EXHIBIT 41

From: Herbert, Kelly E. <KHerbert@gibsondunn.com>
Sent: Monday, October 25, 2021 5:01 PM
To: Daniel Garrie; Kutscher Clark, Martie; Anne Lieu
Cc: Gail Andler (judgeandler@icloud.com); Snyder, Orin; Stein, Deborah L.; Falconer, Russ; Mumm, Laura C.; Lesley Weaver; Anne Davis; Matt Melamed; Derek Loeser; David Ko; Cari Laufenberg; Chris Springer; Buongiorno, Matt
Subject: RE: Discovery Mediation Summary as of 10-25

Counsel,

Pursuant to Mr. Garrie's instruction below, please find Facebook's list of the first ten individuals we would like to depose along with two proposed dates for each.

Facebook is available to meet and confer tomorrow at 10 AM PT concerning third party subpoenas.

Regards,
 Kelly

Jordon O'Hara	Nov. 16 or Nov. 18
Shelly Forman	Nov. 30 or Dec. 2
Tyler King	Dec. 2 or Dec. 3
Charnae Tutt	Dec. 7 or Dec. 9
Cheryl Senko	Dec. 14 or Dec. 16
Juliana Watson	Dec. 28 or Dec. 30
Steve Akins	Jan. 6 or Jan. 7
Tonya Smith	Jan. 11 or Jan. 13
Jason Aricui	Jan. 18 or Jan. 20
William Lloyd	Jan. 25 or Jan. 27

Kelly Herbert (*she/her/hers*)

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From: Daniel Garrie <DGarrie@jamsadr.com>
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<dko@kellerrohrback.com>; Cari Laufenberg <claufenberg@kellerrohrback.com>; Chris Springer
<cspringer@kellerrohrback.com>

Subject: Discovery Mediation Summary as of 10-25

[WARNING: External Email]

Counsel,

Thanks for taking the time today. Below is a summary of our mediation today. Kindly reach out to Matt to schedule additional mediation sessions, and we will endeavor to address the 3rd party data source issue raised by the Plaintiffs.

Third-Party Subpoenas

1. The parties are to meet and confer in the next 24 hours regarding the third-party subpoena issue raised by Facebook.
2. Facebook is to provide a proposal by EOD Wednesday.
3. Plaintiffs are to review and provide a counter-proposal or comments by EOD Thursday.

After we have had a chance to review the materials, we will determine if further mediation is appropriate, etc.

Depositions

1. The parties are to exchange a list of the first 10 deponents by EOD today, each with two dates.
2. The parties are to provide the best and final deposition protocol by EOD Wednesday.

After Judge Andler and I review the materials, we will determine the next steps. Please stay safe if you are in Nor. Cal or the PNW with the crazy weather.

Daniel and Judge Andler



Daniel Garrie, Esq.
Arbitrator, Forensic Neutral,
Technical Special Master

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